Applicant traverses the rejection of claims 1-7, 9-10 and 12-19 as anticipated by Tian et al. U.S. Patent No. 5,671,353.

The Court of Appeals for the Federal Circuit has clearly stated that an anticipation can only be established by a single prior art reference which discloses each and every element of the claimed invention arranged as in the claim. See <u>Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.</u>, 221 USPQ 481 (Fed. Cir. 1984).

Independent claim 1 specifies a method of archiving an item comprising presenting the item to a parser; parsing the item into a plurality of multi-part object structures wherein portions of the structures have searchable information tags associated therewith; evaluating the object structures in accordance with object structures previously stored in an archive; presenting an evaluated object structure for manual reconciliation at least where there is a predetermined variance between the object and at least one of a predetermined standard and a user defined rule.

Tian et al. does not disclose or suggest a method of archiving an item. More particularly, it does not disclose presenting an item to a parser. Nor does it disclose parsing the item into a plurality of multi-part object structures. Nor does it disclose evaluating object structures in accordance with object structures previously stored in an archive. Finally, it does not disclose presenting an evaluated object structure for manual reconciliation.

Contrary to the statements made in the action, Tian et al. does not disclose a method of archiving an item. Archiving is the storage of back up files. Tian et al. is directed to

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semantically <u>validating</u> incoming and outgoing messages to ensure that they conform to a standard. Semantically validating messages has nothing to do with a method of archiving.

Particularly, it is understood that according to the Abstract, Claims 1-20, Field of the Invention, Background Technology, and Summary of the Invention, of the Tian et al. Patent, and the Digital Imaging and Communications in Medicine (DICOM) Standard, on which Tian et al. is dependant, methods are taught for validating communications between different computers and medical imaging devices that are intended to be compliant with the DICOM Standard. (see PS 3.1-2003, Page 7 of the DICOM Standard, which is available at http://medical.nema.org/dicom/2003.html)

As is taught and described in the claims, drawings, drawing descriptions and other parts of Tian et al., the methods and apparatus reside on a picture archive and communication system (PACS) and provide a means for semantically assessing and when necessary, reporting non-compliance and enabling programmers ("application developer") to, manually or automatically correct the semantics of the message so as to achieve compliance with the DICOM Standard requirements for the language, data, commands and structure of Messages intended to be compliant with the DICOM Standard.

According to the first part of the rejection:

"Referring to claim 1, Tian discloses a method of archiving an item as claimed. See Figures 2-14 and the corresponding portions of Tian's specification for this disclosure."

A thorough review of the reference, as well as with research into the published DICOM Standard fails to identify "methods (or teachings) of archiving" in Tian et al. According to the DICOM

Standard, part 7, and its associated references, one sees that the language, data (images and

related medical information), command(s) and structure necessary to achieve the act of archiving

(in a PACS) are contained in a DICOM Standard compliant Message.

The description of Figure 2, cited by the Examiner, states:

"FIG. 2 illustrates a scenario in which a preferred embodiment of the
process of the present invention semantically validates a Composite
Information Object which does not contain a conditional module."

Clearly this language does not disclose a method for creating a DICOM Message, which contains

the language, data, command(s) and structure necessary to archive "an item". Further, in

reviewing the drawing, it is seen that the representation of a DICOM Message, as is done at the

top of this figure, does not constitute a disclosure or teaching of methods for the creation of a

DICOM Message, which is necessary to perform the act of archiving.

In reviewing the descriptions of Figs. 3-11 of Tian et al., one notes that scenarios

are represented in which, preferred embodiments of the invention semantically validate

components of DICOM Messages (i.e. Composite Information Object types, Hierarchical

Information Model types, SOP types - see the DICOM Standard, part 7 and its associated

references). In reviewing descriptions of Figs. 12 and 13 of Tian et al., one notes that scenarios

are represented in which, preferred embodiments of the invention semantically validate types of

DICOM Messages (command and response Messages). In reviewing the description of Fig. 14

of Tian et al., one notes that a scenario is represented in which, the element syntax of a DICOM

Message is semantically validated. Finally, in reviewing descriptions of Figs. 15-18 of Tian et

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al., one notes that preferred inheritance relationships for components of the DTDictionary used in the validation of DICOM Messages are represented.

It is particularly noted that none of drawings or descriptions of Tian et al. make any mention of methods for archiving or of PACS. Applicant acknowledges that there are similarities in individual functions discussed in Tian et al. for validating a DICOM Message and individual functions used in the methods taught in the present Application for archiving "documents and graphical items" (involving parsing, searchable information tags, evaluating object structures, manual reconciliation, user defined rules, converting to a standardized format, etc.). The similarities in individual functions, not withstanding, do not constitute an anticipation by Tian et al. of the present Application because these methods taught in Tian et al. apply to the validation of a DICOM Message rather than the methods for archiving, which are claimed and specified in the present Application.

Although Tian et al., in the Summary of the Invention, states that "A second application program creates a DICOM message. . ." (which is disclosed elsewhere in the Tian et al. specification in other language), no method for creating a DICOM Message (which performs the act of archiving) are claimed or disclosed in the Tian et al. Patent. This is because the methods for creating a DICOM Message are part of the DICOM Standard specification, which is not claimed by Tian et al. and need not be disclosed in specifying Tian et al.'s teachings as these methods are not within the scope of the Tian et al. invention and are published in the DICOM Standard.

Specific to this, if one studies the DICOM Standard documents, one sees that the language, data, commands, and structure necessary to effect the act of archiving (to a DICOM compliant PACS) are contained in a DICOM compliant Message, which the Tian et al. Patent teaches methods for validating. Said differently, the teachings of Tian et al. establish an invention that merely performs a type of quality control function so as to insure a Message's compliance with the DICOM Standard.

Per the DICOM Standard, a DICOM compliant Message may comprise the language, data commands and structure necessary to perform the act of archiving. If such a Message is, at the point of origin, compliant with the DICOM Standard, the invention of the Tian et al. Patent is unnecessary and the archiving is effectively performed. If, on the other hand, a message intended to be compliant with the DICOM standard is validated by the invention of the Tian et al. patent, but does not contain the language, data, commands and structure necessary for the act of archiving, no archiving can take place.

Tian et al. neither describes nor teaches the archiving of any item, which is why the United States Patent and Trademark Office has assigned the classifications of 714/48 (error detection or notification) and 714/37 (analysis (e.g., of output, state, or design) to the Tian et al. Parent.

The methods described and taught in the present Application for archiving can not, on the basis of the act of archiving, be anticipated by Tian et al. because the invention of Tian et al. does not archive.

An additional important distinction between Tian et al. and the present

Application pertaining to archiving is that nowhere in the Tian et al. specification is it claimed or

otherwise disclosed that the invention of Tian et al. is an archive. As is stated in the Abstract

(and elsewhere) in the Tian et al.:

> "The present invention provides an object oriented structure existing on a
> digital computer or PACS and a method, executed on a digital computer or
> PACS."

From this language and similar language found elsewhere in Tian et al., it is clear that the

invention of Tian et al. may exist on a PACS but it is separate from the PACS and is not, itself a

PACS or archive.

In the Summary of the Invention of the present Application it is stated, as it is

elsewhere in the Application in other language, that:

> An asset and content management system in accordance with the invention
> translates multiple documents and document components to and from an
> object-oriented archive having managed singular and unique document-
> related objects and relationships.

From this language and similar language in the specification of the present Application it is clear

that Invention of the present Application does more than merely perform the act of archiving, but

is itself an archive.

A further distinction between Tian et al. and the present Application pertains to

the items being archived. This distinction is fundamental to many of the assertions made in the

most recent rejection.

This distinction is that although it can be reasonably concluded that there are

similarities in the disclosures of the individual functions between Tian et al. and the present

Application, the respective inventions of Tian et al. and the present Application are so

fundamentally different that it is impossible for the invention of the present Application to

achieve the same result as the invention of Tian et al., which is the validation of a DICOM

Message.

As is stated throughout the specification of the present Application the system or

method: archives, parses, converts to a standard format, provides for editing, provides warnings,

forms object oriented data structure, etc, for. "documents and graphical items" and not DICOM

Messages. The documents and graphical items mentioned in numerous instances in the present

Application are further clarified by references such as:

From the Background of the Invention -

"Such documents would include, without limitation, advertisements,
manuals, brochures, letterheads, and other documents or graphical items."

From the Summary of the Invention -

"Additionally, textual objects can be edited on a singular basis, and
through the pre-established links in the archive, can effect a plurality of
related composite output documents which are being produced, for
example, packaging variations for multiple products having common
ingredients or disclosure information."

"In an environment where the documents or graphical items represent
packaging, the present invention and archive system can be used to
identify cylinders and plates from previously produced packaging SKUs."

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As further clarification, herein, the invention of the present Application converts

any type of document or graphical item, such as contain or are comprised of text, logos, vector

graphical items (logos, shapes, lines, combinations thereof, etc.) and raster graphical items

(photographs, illustrations, combinations thereof, etc.) originated in any file format, such as

Adobe Illustrator, Adobe Photoshop, Adobe Acrobat, Quark, Marcomedia Freehand, etc. and file

formats originated in other programs such as Microsoft Word, Microsoft Excel, email programs,

Internet programs, documents and graphical items generated from databases, and other types of

programs used in textual or visual communications such as are used in conducting all types of

business into the invention's unique and consistent data structure/model. Hard-copy documents

containing text, which have been scanned and the text of which, is converted via optical character

recognition (OCR) technology, as well as documents containing graphical items, which have

been scanned and the graphical items of which, have been converted to any file format, as is

described above, are included in the methods taught in the present Application.

Although this would include documents or graphical items, which originate from

DICOM or PACS compliant programs or devices, the data structure/model taught in the present

Application, would still be incapable of allowing the system or method, or the results it produces,

which includes the output of documents and graphical items for print or Internet publication,

from being effectively used in a DICOM or PACS compliant environment or of performing the

functions of the invention taught in Tian et al.. Not only does the invention of the present

Application not provide for DICOM or PACS compliance, it also lacks a means of interfacing

with the standards requirements of DICOM or PACS by any means made possible with these standards.

In further support of this point, it is noted that the fundamental characteristics of the DICOM Message, which Tian et al. teaches methods for validating, are completely different from the characteristics of documents and graphical items and are also completely different from the treatment of documents and graphical items in the teachings of the Application. From the Abstract of Tian et al.(and is stated similarly elsewhere in Tian et al.):

> "DICOM messages are comprised of a plurality of elements. A plurality of these elements are grouped into a module. A plurality of modules are grouped into an Information Entity (IE). A plurality of IEs are grouped into an Information Object Description (IOD). A plurality of IODs are grouped into a block. A plurality of blocks comprise a DICOM message. The semantic validation objects provide a structure and method for defining, examining and semantically validating the Elements, Modules, IEs, IODs, and Blocks which comprise a DICOM message."

Whereas, per the Detailed Description of the Preferred Embodiments of the present Application:

> "The data model, on which the invention's standard document file format parsing takes place, is based on making distinctions between Document Specific Data and Metadata, Document Properties, Document Property Values, Element Properties and Element Property Values."

In reviewing these differences in the fundamental characteristics of a DICOM Message and the treatment of documents and graphical items in the present Application, it should first be noted that per a review of the published DICOM Standard, on which Tian et al. is dependant, the representation of the characteristics of a DICOM Message in Tian et al. is a gross simplification of the total requirements for language, data, commands and structure of the DICOM Message. It should be noted that, by way of a review of the published DICOM

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Standard, similarities in the use of such terms as "elements" as exist between the DICOM

Standard and the treatment of documents and graphical items in the present Application can not

be reasonably be interpreted to mean that the definitions or characteristics of these terms are the

same.

In response to the Examiner's comments addressing the presentation of an item to

a parser and the parsing of the item, the response above concerning the archiving of an item

applies. Furthermore, those skilled in the art of software programming know that there are two

different types of parsing. One type of parsing, which the teaching of Tian et al. may be

interpreted to use, involves the incremental analysis of language (semantics), which leaves the

language string in tact in the course of and following the semantic analysis. The other type of

parsing, which is part of the teachings of the present Application, involves the dissection

(breaking apart) of source code (documents and graphical items as referenced in the Application)

so that it can be translated into object code (the unique data model taught in the Application). As

it is stated Summary of the Invention of the Application:

> "The Parser determines and extracts components of the standardized
> document or item representation according to the data construct needs of
> the present Graphic Object Oriented Document model."

Although the terms parse and parsing are the same for each of these definitions the process and

outcomes are very different and are not the same.

An additional distinction between the type of parsing effected by the invention of

the Tian et al. Patent and the invention of the present Application is that the Tian et al. teachings

involve the parsing of only single DICOM Messages at a time, whereas the teachings of the

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present Application involve the parsing of single documents or graphical items, as well as the

parsing of multiple documents or graphical items as is stated in the description of Fig. 2 of the

present Application:

> "The parsed objects and relationships can then be analyzed and compared
> taking into account the objects and relationships derived from other
> documents which have been parsed in a concurrent multiple document
> batch-mode input process."

The claims of the present Application can not reasonably be found to be anticipated by Tian et al.

on the basis of a parsing function as the parsing function of the invention disclosed in the present

Application does not function in the same way, nor does it produce the same result.

Because Tian et al. does not disclose each and every element of claim 1, arranged

as in the claim, there is no anticipation and the rejection is improper. Moreover, because Tian et

al. does not suggest the invention defined by claim 1, any obviousness rejection would also be

improper.

Claims 2-7 and 9 depend from claim 1 and are believed allowable for the same

reasons therefor.

Addressing claim 2, dealing with the respective structure being manually edited,

the response above concerning the archiving of an item applies. It is also pointed out that those

skilled in the art of inventions that reside on computers (software), of which the inventions of

both the Tian et al. Patent and the present Application are in a class, know that there are

substantial skill differences involved with actions requiring the efforts of an "application

developer" (computer programmer) and actions requiring the efforts of a software user. When

the efforts of the application developer are necessary to perform a manual editing, use of the software must be stopped so that the developer (one skilled in the art of software code writing) can modify the code of the software so as to achieve the editing.

Conversely, when a user interface is provided for the editing (which requires no modification to the code of the software) no special skills are required and use of the software is uninterrupted. Per the description for Fig. 1 in the present Application:

> "...a local user at computer 18 can not only review parsed documents, or files, but can also carry out a one-to-many editing process of object-oriented data stored in archive 14."

Again, the methods of the Tian et al. Patent and the present Application may use similar individual functions, but a manual editing on the part of a software developer and a manual editing on the part of an application user is not the same thing and does not constitute the conditions necessary to accurately assert an anticipation.

Addressing claim 3, dealing with the converting of an input item to a standardized format, the response above concerning the archiving of an item applies. It is also clear from the claims, drawings and other parts of the Tian et al. specification, that the standardized format, as mentioned in the Tian et al. Patent, is constrained to the language, data, commands and structure of the DICOM Standard, and particularly to the DICOM Message (see the DICOM Standard - with particular emphasis on part 7 of the Standard), which Tian et al. teaches methods for validating. From the Background of the Invention - Background Technology of Tian et al.:

> "The DICOM standard provides a common format for messages sent and received between a PACS and a workstation or between two or more PACS."

The standardized format taught in the present Application, unlike Tian et al., is not dependant

on, nor is it compliant with, the mandates of the DICOM Standard.

Addressing claim 4, dealing with the storing a reconciled object structure in the

archive, the response above concerning the archiving of an item applies. It is further pointed out

that whereas Tian et al. teaches a reconciling of DICOM Messages to achieve compliance with

the DICOM Standard for Messages, the present Application teaches a completely different type

of reconciling that is incapable of achieving the results of the reconciling taught in Tian et al..

From the Detailed Description of the Preferred Embodiments, User Involvement in Identifying

Elements in the present Application:

> "In early phase importing of pre-existent archives, users are likely to see
> that there are a number of instances of variation between elements in
> different documents that are the result of mistakes made in the creation or
> editing of documents. As a result, the user will need to be able to identify
> the instances of mistake-based element variations, to replace incorrectly
> executed elements with correctly executed elements and to 'ducate'the
> system so that it is able to identify similar mistakes as well as to
> automatically replace incorrectly executed elements with correctly
> executed elements. The system's Import Manager interface can provide the
> ability for the user to designate certain element properties and values as
> the 'rules' for correctly executed elements. In this way, for example, the
> user should be able to establish that the shape of an element is a rule but
> the color, size and position of the element are not part of the standard.
>
> Users will need the option of either having the system report on its
> comparison findings so that users can "control" the reconciliation process.
> Alternately, if they choose to do so, they will need to be able to establish
> the properties and values for documents and elements that will be
> automatically reconciled."

From this language in the present Application one can see that the semantic reconciliation of

DICOM Messages to achieve compliance with the DICOM Standard, performed by the invention

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of Tian et al. is not the same type of reconciliation performed by the invention of the present

Application on documents and graphical items involving such as the user establishment of rules

for document elements like shape, color, size and position in a document.

As has been stated above, the teachings of the present Application are incapable

of recognizing the characteristics of DICOM Standard Messages, are incapable of performing the

functions disclosed in the Tian et al. Patent and incapable of achieving the results produced by

the invention of the Tian et al. Patent. On this basis, a reasonable finding of an anticipation by

Tian et al. as it apprise to storing, archiving or reconciling is not possible.

Addressing claim 5, concerning selectively editing an object structure to effect a

one-to-many change in a plurality of archived items, the response above concerning the archiving

of an item applies. From a review of the Tian et al. specification, one fails to find in the cited

reference (Operational Scenarios) of Tian et al., any disclosure, teaching or reference that the

invention of Tian et al. effects a one-to-many change in a plurality of archived items. One does

find, however, under the scenario addressing Figure 18, that:

> "There are a plurality of subclasses of this abstract class [DTElement
> Rule], one for each type of rule pattern defined."

This reference is interpreted to mean that a plurality of rules may be applied to the validation of a

DICOM Message and is not interpreted to mean that a plurality of DICOM Messages or DICOM

Message components are edited to achieve Message validation. In further review of the reference

cited, one also sees that the scenario depicted in multiple scenarios states in many ways that:

> "The process of the present invention compares the items to the rules and
> generates warnings which are stored in memory and sent to a user

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application to indicate semantic status after completing the validation process."

But one fails to find any language indicating that an archived item (DICOM Message or component of DICOM Message) is involved with any scenario addressed in Tian et al.'s Operational Scenarios. This is not the case, of course, in the teachings of the present Application, where the description for drawing 1 in the present Application states:

> ". . .a local user at computer 18 can not only review parsed documents, or files, but can also carry out a one-to-many editing process of object-oriented data stored in archive 14."

As previously discussed, there are no reasonable grounds for a finding that the Present Application is anticipated by the Tian et al. Patent on the basis of selectively editing an object structure to effect a one-to-many change in a plurality of archived items.

Addressing claims 6 and 7, the response above concerning the archiving of an item also applies.

Addressing claim 9, the response above concerning the archiving of an item also applies and it is further emphasized that a review of the DICOM standard, and comparison to the specification of the present Application will reveal that a similarity in terms used between the Tian et al. Patent and the present Application do not, if the terms have different meanings, constitute reasonable grounds for an assertion that the present Application is anticipated by the Tian et al. Patent.

Furthermore, those skilled in the arts of the DICOM Standard, PACS, Digital Asset Management (DAM) systems and systems in the class of DAM, i.e. document management

(DM) systems, content management (CM) systems enterprise systems dealing with systems such as DAM, DM, CM, etc., in which the invention of the present Application is one, know that, in spite of any similarity in terms used, there are numerous other differences between the invention of Tian et al. and the present Application than have been addressed above. Among these are the requirements of the DICOM Standard for medical image processing, which involves such requirements as the very nature of an image from such modalities as radiological imaging devices magnetic resonance imaging devices, etc. and exact specifications for such image related factors as contract, tonal range, byte ordering, image compression, etc. that outside of the capabilities of the class of systems mentioned above, which the invention of the present Application is one.

Independent claim 10 specifies an object oriented archival system comprising a storage medium, and a set of executable instructions for establishing an archive of documents represented by linked object oriented elements stored in the medium. The archive exhibits minimal redundancy with at least some elements linked to pluralities of the elements and wherein some of the instructions, in response to a selected editing command, alter at least one element common to and linked to a selected plurality of other elements to thereby effect a one-too-many editing process and additional instructions for compiling an output file, in a selected format.

The action indicates that claim 10 is rejected on substantially the same basis as claim 1. However, there is no detailed explanation as to how each and every element of claim 10, arranged as in the claim, is found in Tian et al. In fact, they are not. As noted above, Tian et al. does not relate to archiving documents. It relates to semantically validating a message. It does not relate to an archive exhibiting minimal redundancy. Nor does it relate to altering at

least one element common to and linked to a selected plurality of other elements to affect a one-too-many editing process. Nor does the action reference any such teaching.

Because Tian et al. does not disclose each and every element of claim 10, as arranged as in the claim, there is no anticipation and the rejection is improper. Tian et al. is not remotely related to the invention defined by claim 10. As such, it does not suggest the invention of claim 10. Therefore, any obviousness rejection would also be improper.

Claims 12-19 depend from claim 10 and are believed allowable for the same reasons therefor.

For the above reasons, the rejection of claims 1-7, 9-10 and 12-19 ought be withdrawn.

Applicant traverses the rejection of claims 8, 11 and 20-28 as obvious over Tian et al. in view of Ringness U.S. Patent No. 6,456,395.

Claims 8 and 11 depend from claims 1 and 10, respectively. The deficiencies with respect to Tian et al. and claims 1 and 10 are noted above. Ringness does not disclose or suggest these deficiencies. Therefore, any obviousness rejection of claims 8 and 11 is improper.

Those skilled in the arts of DICOM and PACS understand that the types of layers involved with the DICOM Standard, and therefore, the Tian et al. Patent, are completely different from, and do not perform the same functions as the types of layers referenced in the present Application. According to the DICOM Standard, the layers governed by the Standard are layers of data involved with the highly structured software programs of DICOM compliant systems and devices and that these layers are part of the Standard's specific and rigid requirements for the

language, data, commands and structure involved with communications between DICOM Standard compliant computers and medical imaging devices. Those skilled in the arts of the class of systems known as DAM, DM, CM, etc know that the layers addressed in the Present Application are incapable of containing the data types and structure involved with DICOM Standard layers.

Those skilled in the arts of the DICOM Standard and PACS also know that the encapsulated PostScript (EPS) file format, on which the Ringness Patent is dependant, is not compliant with the DICOM Standard and that Ringness, as it is defined in the Patent is not compliant with the DICOM Standard requirements for language, data, commands and structure and that, as a result, an interface of systems or combined capability involving the teachings of Tian et al. and the teachings of Ringness is not possible. It is also noted that, from an examination of the Ringness Patent, that no claim, drawing, drawing description or other part of the Ringness specification indicates that the invention of the Ringness Patent is an archive, does not perform the function of archiving and does not perform the one-to-many executions taught in the present Application.

Independent claim 20 specifies a method of generating layers corresponding to color separations for a printing process comprising: establishing an archive populated with a plurality of graphically oriented object-type structures wherein a first plurality of the structures represents a first layer, corresponding to a color separation for a multi-color output document, wherein the members of the first plurality are linked to establish element definitions and locations, relative to one another, in the first layer, and, at least a second plurality of the

structures wherein the second plurality represents a second layer corresponding to a second color separation for the output document wherein the members of the second plurality are linked to establish element definitions and locations, relative to one another, in the second layer, and, wherein the establishing step includes, analyzing the members of the first and second pluralities for common structures, and storing a representation of only one structure in the event that multiple common structures are detected.

In attempting to boot strap an obviousness argument, the action uses the terminology from the claim (as was done with claim 1, above), to describe the teachings of Tian et al. There is no support for such analysis Tian et al. For example, the action states at page 5, "referring first to claim 20, Tian discloses a method of generating layers corresponding to separations in an object: . . .". Tian et al. has nothing to do with generating layers corresponding to separations in an object. Indeed, claim 20 relates to generating layers corresponding to color separations for a printing process. This is not even remotely related to semantically validating a DICOM message, as described in Tian et al. Semantically validating a message has nothing to do with generating layers corresponding to color separations for a printing process.
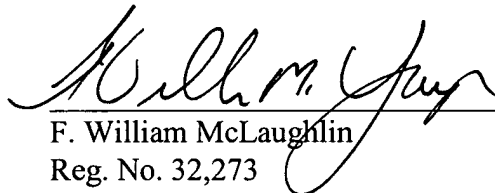
Contrary to that recited in the action, Tian et al. does not disclose establishing an archive. Moreover, it does not disclose or suggest structures representing a first layer corresponding to a color separation, and structures representing a second layer corresponding to a second color separation for an output document. Nor does it disclose or suggest analyzing members of the first and second pluralities for common structures and storing a representation of only one structure in the event that multiple common structures are detected. Claim 20 is clearly

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not obvious over Tian et al. which is not even remotely relevant. The action acknowledges that

the structures and layers of Tian et al. do not correspond to color separations for a printing

process. In fact, there are no structures and layers even present in Tian et al. Ringness is relied

on for use of color separations. Combining the teachings of Ringness which relates to a method

of separating colors, with Tian et al., which relates to semantically validating a message, would

serve no purpose. Separating colors has nothing to do with validating a message. Therefore, the

combination is improper. In any event, the combination would not result in the claimed

invention as the deficiencies identified above with respect to Tian et al. are not present in

Ringness so that the combination would not result in the claimed invention. For these reasons,

claim 20 and its dependent claims 21-28 are not obvious and the rejection is improper and ought

be withdrawn.

Reconsideration of the application and allowance and passage to issue are

requested.

Respectfully submitted,

Date: February 8, 2006

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